AMENDMENTS TO THE CLAIMS

1-18. (Canceled).

19. (Previously Presented) A method for detecting a non-writable region of an optical recording medium including a plurality of non-writable regions of different phases having information for controlling a writable data region between the writable data regions, the method comprising the steps of:

(1) detecting a sum of optical signals reflected at the optical recording medium;

(2) comparing the summed signal to a reference value; and

(3) determining if a current position is a writable region or a non-writable region based on the result of the comparison.

20. (Previously Presented) The method as claimed in claim 19, wherein step (3) determines that the current position is a non-writable region if the summed signal is higher than the reference value.

21. (Previously Presented) The method as claimed in claim 19, wherein the non-writable region is a header region.

22. (Previously Presented) The method as claimed in claim 19, wherein step (1) includes a step of obtaining at least a bottom hold signal from the summed signal.

23. (Currently Amended) The method as claimed in claim 22, wherein step (3) determines the present region as an ~~unwritten~~ non-writable region if the bottom held value is greater than a reference value, and as a ~~written~~ writable region if the bottom held value is smaller than the reference value.

24. (Previously Presented) The method as claimed in claim 19, further comprising holding a servo error signal for carrying out a servo control to read or write data if the current position is determined as a non-writable region.

25. (Previously Presented) The method as claimed in claim 19, further comprising:

counting a number of the determined non-writable regions, to determine the present track of being a land track or a groove track, and

performing a land/groove switching operation depending on a result of the determination.

26. (Currently Amended) A method for detecting a non-writable region of an optical recording medium including a plurality of non-writable regions of different phases having information for controlling a writable data region between the writable data regions, the method comprising the steps of:

(1) detecting a read channel ~~2~~1 signal being an added signal of optical signals reflected at the optical recording medium;

(2) comparing the read channel ~~2~~1 signal to a reference value; and

(3) discriminating a writable region or a non-writable region based on a result of the comparison.

27. (Currently Amended) The method as claimed in claim 26, wherein step (1) includes a step of detecting a read channel $\bar{1}$2 signal being a difference signal of optical signals reflected from the optical recording medium.

28. (Previously Presented) The method as claimed in claim 27, wherein step (2) compares the detected signal with a reference value, thereby to determine a region as the non-writable region based on a result of the comparison.

29. (Currently Amended) A method for detecting a non-writable region of an optical recording medium, the method comprising the steps of:

(1) detecting a read channel $\bar{1}$2 signal being a difference of optical signals reflected from the optical recording medium, the optical recording medium includes a plurality of non-writable regions of different phases having information for controlling a writable data region between the writable data regions;

(2) comparing the detected signal with a reference value; and

(3) determining a region as the non-writable region or the writable region based on a result of the comparison.

30. (Currently Amended) The method as claimed in claim 29, wherein step (1) includes a step of detecting a read channel 21 signal being a summation of optical signals reflected from the optical recording medium.

31. (Previously Presented) The method as claimed in claim 30, wherein step (2) compares the detected signal with a reference value, thereby to determine a region as the non-writable region based on a result of the comparison.

32. (Previously Presented) The method as claimed in claim 29, further comprising:

(4) holding a servo error signal for a servo control if a point of the optical recording medium being written or read at the present time is determined to be a non-writable region.

33. (Previously Presented) The method as claimed in claim 29, further comprising:

(4) counting a number of the determined non-writable regions, to determine the present track of being a land track or a groove track, and

(5) performing a land/groove switching operation depending on a result of the determination.

34. (Previously Presented) The method as claimed in claim 29, wherein step (1) includes a step of obtaining at least a bottom hold signal from the summed signal.

35. (Previously Presented) The method as claimed in claim 34, wherein step (3) determines the present region as the non-writable region or the writable region as comparing the bottom held value with the reference value.

36. (Previously Presented) The method as claimed in claim 35, wherein step (3) determines the present region as the non-writable region if the bottom held value is greater than the reference value, and as the writable region if the bottom held value is smaller than the reference value.

37. (Previously Presented) A method for detecting a non-writable region of an optical recording medium, the method comprising the steps of:

detecting a non-writable region of an optical recording medium, by comparing a read channel 1 or a read channel 2 signal with a reference value, the read channel 2 signal being a difference of optical signals reflected from the optical recording medium, and the read channel 1 signal being a summation of optical signals reflected from the optical recording medium; and

controlling a read or write operation based on the result of the detection step.

38. (Previously Presented) The method as claimed in claim 37, further comprising the step of changing the reference value be to compared with a read channel 1 or a read channel 2 signal, thereby to detect a non-writable region of an optical recording medium.

39. (Previously Presented) The method as claimed in claim 38, further comprising the step of determining a region as the non-writable region if a low pass filtered value is greater than the changed reference value.